

Message Text

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ACTION EB-07

INFO OCT-01 EUR-12 ISO-00 CAB-02 CIAE-00 COME-00 DODE-00

DOTE-00 INR-07 NSAE-00 FAA-00 L-03 IO-10 /042 W
----- 067454

R 242255Z JUL 75
FM AMEMBASSY OTTAWA
TO SECSTATE WASHDC 7072
INFO AMCONSUL MONTREAL

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E.O. 11652: N/A
TAGS: EAIR, CA
SUBJECT: CIVAIR: EN ROUTE NAVIGATIONAL USER CHARGES QUESTION

MONTREAL FOR US REP ICAO

REF: OTTAWA 1764; OTTAWA 1816

1. EN ROUTE TO DOT/MOT TRANSPORT POLICY MEETING WASHINGTON JULY 22, TCO HAD OPPORTUNITY BRIEFLY DISCUSS PANAM, TWA, SEABOARD COMPLAINTS WITH WILLIAM HUCK, ADMINISTRATOR, CANADIAN AIR TRANSPORTATION ADMINISTRATION, MINISTRY OF TRANSPORT. SINCE US NOTE OF JULY 8 TO CANADIAN EMBASSY WASHINGTON HAD NOT YET ARRIVED IN OTTAWA, EMBASSY PROVIDED HUCK WITH COURTESY COPY NEXT DAY. HE INDICATED HE WOULD BE DELIGHTED TO MEET A USG DELEGATION ANY TIME TO DISCUSS THE QUESTION.

2. DURING CONVERSATION TCO ADVERTED TO QUESTION OF POSSIBLE LAW SUIT AGAINST GOC AND WITHHOLDING OF PAYMENTS BY CARRIERS MENTIONED JUNE 20 EMCON. HUCH INDICATED CANADIAN LAW AUTHORIZING THESE CHARGES WAS PRETTY CLEAR AND GOC WAS CONFIDENT IT WOULD WIN ANY SUIT. SHOULD PAYMENTS BE WITHHELD GOC WOULD PROBABLY INTIATE ACTION ITSELF, SECURE JUDGEMENT AGAINST CARRIER WHICH WOULD BE ENFORCED ON ANY OCCASION THAT ONE OF ITS

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AIRCRAFT HAPPENDED TO LAND IN CANADA.

3. AS A LONGER TERM PROPOSITION AND TO REENFORCE
PRESENT THRUST OF CANADIAN LAW, HUCK INDICATED GOC
MIGHT SEEK ICAO ACTION TO MAKE FILING A FLIGHT PLAN A
CONTRACTUAL RELATIONSHIP BETWEEN CARRIER AND COUNTRY
PROVIDING NAVIGATIONAL FACILITIES. HOWEVER, TCO DID NOT
GET IMPRESSION GOC WOULD BE INITIATING SUCH A PROPOSAL
IN THE NEAR FUTURE.

JOHNSON

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Message Attributes

Automatic Decaptoning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: NAVIGATIONAL AIDS, AIRLINES, AIR ROUTES, DIPLOMATIC NOTES, DEBT REPAYMENTS
Control Number: n/a
Copy: SINGLE
Draft Date: 24 JUL 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: MorefiRH
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975OTTAWA02788
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D750257-0699
From: OTTAWA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19750725/aaaaawol.tel
Line Count: 70
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION EB
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 75 OTTAWA 1764, 75 OTTAWA 1816
Review Action: RELEASED, APPROVED
Review Authority: MorefiRH
Review Comment: n/a
Review Content Flags:
Review Date: 07 MAY 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <07 MAY 2003 by Izenbel0>; APPROVED <07 MAY 2003 by MorefiRH>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
06 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: CIVAIR: EN ROUTE NAVIGATIONAL USER CHARGES QUESTION MONTREAL FOR US REP ICAO
TAGS: EAIR, CA, US
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006